

WRIGHT, FINLAY & ZAK, LLP

Renee M. Parker, Esq., WSBA No. 256851
Lukasz I. Wozniak, Esq., WSBA No. 47290
4665 MacArthur Court, Suite 200
Newport Beach, CA 92660
Tel: (949) 610-7023; Fax: (949) 477-9200
rmparker@wrightlegal.net

Attorney for Defendants GREEN TREE LOAN SERVICING LLC and MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS, INC.

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON (TACOMA)**

JAMES A. BIGELOW

Plaintiff,

vs.

NORTHWEST TRUSTEE SERVICES, INC.;
GREEN TREE SERVICING, LLC;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.; and
DOE DEFENDANTS 1-20

Defendants.

Case No.: 3:14-cv-05798 BHS

**ORDER GRANTING DEFENDANTS
GREEN TREE SERVICING LLC AND
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.'S
MOTION TO DISMISS PLAINTIFF'S
AMENDED COMPLAINT**

Noting Date: January 2, 2015

THIS MATTER came on for hearing upon the *Motion to Dismiss Plaintiff's Amended Complaint* filed by Defendants GREEN TREE SERVICING LLC and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (hereinafter "Defendants" collectively), and the Court having considered the records and files herein, and the following additional pleadings and evidence:

1. Motion to Dismiss Plaintiff's Amended Complaint by Defendants GREEN TREE SERVICING LLC and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.;

[PROPOSED] ORDER ON MOTION TO
DISMISS BY DEFENDANTS GREEN TREE
SERVICING LLC AND MERS

Renee M. Parker (SBN 36995)
Wright, Finlay, & Zak, LLP
4665 MacArthur Blvd., Suite 200
Newport Beach, CA 92660

2. Declaration of Green Tree Loan Servicing in Support of Motion to Dismiss;
3. Defendants' Request for Judicial Notice;
4. Response from Plaintiff, if any;
5. Response from any other named defendants, if any; and
6. Any Reply on behalf of Defendants GREEN TREE SERVICING LLC and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. in response to any Response from Plaintiff.

Now therefore, BASED UPON the evidence presented, the Court finds that Defendants GREEN TREE SERVICING LLC and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. are entitled to dismissal as a matter of law.

BASED UPON the above finding, it is hereby ORDERED, ADJUDGED AND DECREED that:

1. Defendants GREEN TREE SERVICING LLC and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.'s *Motion to Dismiss Plaintiff's Amended Complaint* is GRANTED without further leave for Plaintiff to amend the Complaint.

2. Defendants GREEN TREE SERVICING LLC and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. are hereby DISMISSED with prejudice.

Dated this _____ day of _____, 2014.

Hon. Benjamin H. Settle

///

///

///

[PROPOSED] ORDER ON MOTION TO
DISMISS BY DEFENDANTS GREEN TREE
SERVICING LLC AND MERS

Renee M. Parker (SBN 36995)
Wright, Finlay, & Zak, LLP
4665 MacArthur Blvd., Suite 200
Newport Beach, CA 92660

1 Presented by:

2 **WRIGHT, FINLAY & ZAK, LLP**

3 
4 _____
5 Renee M. Parker WSBA #36995

6 Attorneys for Defendants,
7 GREEN TREE SERVICING LLC
8 and MORTGAGE ELECTRONIC
9 REGISTRATION SYSTEMS, INC.

10 Copy Received; Approved as to form;
11 Notice of Presentation Waived;
12 PLAINTIFF PRO SE

13 _____
14 JAMES A. BIGELOW

15
16
17
18
19
20
21
22
23
24
25
26
27 [PROPOSED] ORDER ON MOTION TO
28 DISMISS BY DEFENDANTS GREEN TREE
SERVICING LLC AND MERS

Renee M. Parker (SBN 36995)
Wright, Finlay, & Zak, LLP
4665 MacArthur Blvd., Suite 200
Newport Beach, CA 92660

DECLARATION OF SERVICE

The undersigned declares as follows:

On December 2, 2014, I served the foregoing document: **ORDER GRANTING DEFENDANTS GREEN TREE SERVICING LLC AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.'S MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT** on interested parties in this action by placing a true copy thereof enclosed in a sealed envelope via postage prepaid, regular first class mail and/or electronic service as follows:

SERVICE VIA U.S. MAIL:

CHAMBER COPY:

The Honorable Benjamin H. Settle
United States Courthouse
1717 Pacific Avenue, Room 3100
Tacoma, WA 98402 - 3200


ELECTRONIC SERVICE:

PLAINTIFF:

James A Bigelow
sistermoonproductions@gmail.com

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 2nd day of December, 2014


Steve Bennett

[PROPOSED] ORDER ON MOTION TO
DISMISS BY DEFENDANTS GREEN TREE
SERVICING LLC AND MERS

Renee M. Parker (SBN 36995)
Wright, Finlay, & Zak, LLP
4665 MacArthur Blvd., Suite 200
Newport Beach, CA 92660